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By: **Senator Stone**

Introduced and read first time: February 6, 2004

Assigned to: Finance

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A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicle Liability Insurance - Valuation of Motor Vehicles - Disclosure**

3 FOR the purpose of requiring that certain regulations require each insurer to file  
4 with the Insurance Commissioner the condition inspection guidelines that the  
5 insurer uses in the settlement of claims involving a determination of the total  
6 loss of a private passenger motor vehicle; requiring the regulations to require an  
7 insurer to disclose to a certain claimant certain guidelines and valuation; and  
8 generally relating to the disclosure of guidelines and valuation of motor vehicles  
9 under motor vehicle liability insurance.

10 BY repealing and reenacting, with amendments,  
11 Article - Insurance  
12 Section 27-304.1  
13 Annotated Code of Maryland  
14 (2002 Replacement Volume and 2003 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Insurance**

18 27-304.1.

19 (A) The Commissioner shall adopt regulations that establish standards and  
20 procedures for:

21 (1) the settlement of claims involving the total loss of a private  
22 passenger motor vehicle; and

23 (2) the determination of the private passenger motor vehicle's total loss  
24 value.

25 (B) (1) THE REGULATIONS ADOPTED UNDER THIS SECTION SHALL REQUIRE  
26 EACH INSURER TO FILE WITH THE COMMISSIONER THE CONDITION INSPECTION  
27 GUIDELINES THAT THE INSURER USES IN THE SETTLEMENT OF CLAIMS INVOLVING  
28 A DETERMINATION OF THE TOTAL LOSS OF A PRIVATE PASSENGER MOTOR VEHICLE.

1           (2)       THE REGULATIONS SHALL REQUIRE AN INSURER, UPON REQUEST,  
2 TO DISCLOSE TO A CLAIMANT WHO HAS FILED A CLAIM INVOLVING THE TOTAL LOSS  
3 OF A PRIVATE PASSENGER MOTOR VEHICLE:

4                   (I)       THE CONDITION INSPECTION GUIDELINES THAT THE INSURER  
5 USED TO DETERMINE THE TOTAL LOSS VALUE OF THE PRIVATE PASSENGER MOTOR  
6 VEHICLE; AND

7                   (II)       THE VALUATION OF THE PRIVATE PASSENGER MOTOR VEHICLE  
8 IN RELATION TO THE CONDITION INSPECTION GUIDELINES.

9       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 October 1, 2004.